

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>J. CHRISTOPHER WREH,</b>	§	
<b>PLAINTIFF,</b>	§	
	§	
<b>v.</b>	§	<b>CASE NO. 3:19-CV-1234-K-BK</b>
	§	
<b>WELLS FARGO BANK, N.A. AS</b>	§	
<b>TRUSTEE FOR PARK PLACE</b>	§	
<b>SECURITIES, INC. ASSET-BACKED</b>	§	
<b>PASS-THROUGH CERTIFICATES,</b>	§	
<b>SERIES 2004-MCW1, (SPECIALIZED</b>	§	
<b>LOAN SERVICING LLC), ET AL.</b>	§	
<b>DEFENDANTS.</b>	§	

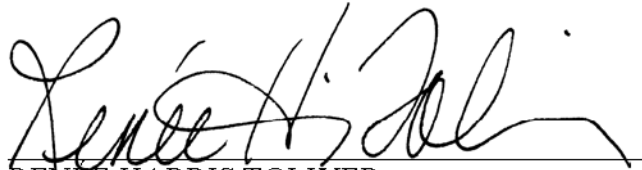
**FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is Plaintiff's motion to proceed *in forma pauperis* on appeal. Doc. 19. Plaintiff appeals from the December 11, 2020 judgment granting *Defendant's Motion for Summary Judgment and Motion to Dismiss Pursuant to Rules 8, 12(b)(6) and 9(b)*. Doc. 17. Upon consideration, it is recommended that the Court deny the motion to proceed *in forma pauperis* on appeal and certify, pursuant to FED. R. APP. P. 24(a) and 28 U.S.C. § 1915(a)(3), that the appeal is not taken in good faith. For the reasons stated in the undersigned's *Findings, Conclusions and Recommendation*, Doc. 15, the appeal presents no legal points of arguable merit and is therefore frivolous.

*Although this appeal should be certified as not taken in good faith under 28 U.S.C. § 1915(a)(3) and FED. R. APP. P. 24(a)(3), Plaintiff may challenge this finding by filing a separate*

*motion to proceed in forma pauperis on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of the District Court's order adopting this recommendation.*

**SO RECOMMENDED** on January 12, 2021.



RENEE HARRIS TOLIVER  
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND  
NOTICE OF RIGHT TO APPEAL/OBJECT**

A copy of this report and recommendation will be served on all parties in the manner provided by law. Any party who objects to any part of this report and recommendation must file specific written objections within 14 days after being served with a copy. *See* [28 U.S.C. § 636\(b\)\(1\)](#); [FED. R. CIV. P. 72\(b\)](#). An objection must identify the finding or recommendation to which objection is made, the basis for the objection, and the place in the magistrate judge's report and recommendation the disputed determination is found. An objection that merely incorporates by reference or refers to the briefing before the magistrate judge is not specific. Failure to file specific written objections will bar the aggrieved party from appealing the factual findings and legal conclusions of the magistrate judge that are accepted or adopted by the district court, except upon grounds of plain error. *See* [Douglass v. United Services Automobile Ass'n](#), 79 F.3d 1415, 1417 (5th Cir. 1996), *modified by statute on other grounds*, [28 U.S.C. § 636\(b\)\(1\)](#) (extending the time to file objections to 14 days).